

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

VERNI, et. al.,

Plaintiffs,

-vs-

SANDERS, et. al.,

Defendants.

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Civil Action No. 08-1692 (FLW)

SCHEDULING ORDER

THIS MATTER having come before the Court by letter application of counsel for Plaintiffs for leave to proceed with discovery, and the Court having conducted a telephone conference on April 7, 2009, with M. Kelly Tillery, Esq., of Pepper Hamilton LLP, counsel for Plaintiffs, and Gene Linkmeyer, Esq., and Joshua Gelman, Esq., of Jacobs Law Group PC, counsel for Defendants, appearing, and the Court having heard the arguments of counsel and for good cause shown,

IT IS on this 13th day of April, 2009,

ORDERED that in preparation for the Settlement Conference scheduled for **May 7, 2009, at 2:00 pm**, Defendants will produce to Plaintiffs, by **April 17, 2009**, evidence of all revenues attributable to Defendants' use of the allegedly infringing marks, from the time period of April 8, 2005 through April 8, 2008 ("Revenue Data"). The Revenue Data will be produced by certified statement, accountants' reports or in some other similarly reliable form, and will be used solely for purposes of the settlement, and it is further

ORDERED that by **April 21, 2009**, Plaintiffs shall submit a letter to the Court, not to exceed 3 pages, stating whether or not there are objections to the scope or form of the production, and if there are, the nature of the objections, as well as any efforts to resolve these objections. Defendants may submit a response by letter, not to exceed 3 pages, by **5:00 pm on April 22, 2009**; and it is further

ORDERED that in the event that there are objections to the production, the Court will convene a teleconference on **April 23, 2009, at 2:00 pm.**

s/ Lois H. Goodman

LOIS H. GOODMAN

United States Magistrate Judge